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8 UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
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10 In Re:

CHAPTER 13
CASE NO. 13-54056 ASW

11 DAVID S. LEE

DECLARATION OF JOHN LOW IN
SUPPORT OF MOTION TO DISMISS
CHAPTER 13 CASE

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13
14 Debtor(s)
_____ /

Date: December 2, 2013
Time: 2:15 PM
Room: 3020

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16 I, John Low, declare as follows:

17 I am an adult living in San Mateo County California. I am the
18 sole member of JLJR, LLC, an unsecured creditor in this bankruptcy
19 case. I have personal knowledge of the facts stated herein, and
20 could competently testify thereto.

21 On or about November 2001, JLJR, LLC entered into a series of
22 loan agreements with Debtor, Jim Ward & Associates, James Ward and
23 Lee Emerson (hereinafter collectively referred to as "Defendants")
24 to borrow monies as apart of a business transaction. These loans
25 were evidenced by a promissory note. Thereafter JLJR LLC made
26 regular payments to Defendants.

27 In 2009 as part of a deposition, I learned that Defendants, and
28 each of them, were not properly licensed as a real estate broker or

1 as a financial broker to enter into the loans JLJR LLC made with
2 them or to charge usurious interest rates.

3 On December 7, 2009, JLJR LLC and similarly situated entities
4 filed a lawsuit against Defendants in Santa Clara County Superior
5 Court, case no. 109CV158850. The complaint alleges fraud, RICO
6 violations, alter ego liability and related actions. JLJR LLC
7 claims damages of \$1,119,978.00. This case is pending.

8 On July 30, 2013, Debtor David Lee filed this chapter 13
9 bankruptcy case. In his schedule F for this case Debtor lists
10 Creditor but does not list any monies owed.

11 Concurrently filed with this motion, creditor will file a proof
12 of claim for the amount owing of \$1,119,978.00.

13 I declare under penalty of perjury under the laws of the United
14 States of America that the foregoing is true and correct.

15 Executed on November 13, 2013 in San Jose, California.

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17 /s/ John Low
18 John Low
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